

federally assisted undertaking must evaluate the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places. 16 U.S.C. § 470f (also known as "Section 106").

In the case of the Trinity River Flood Control Project, the Corps is currently complying with Section 106 of the NHPA by determining whether or not the Dallas Floodway is eligible for inclusion in the National Register. A 55-page research paper produced last November by the Corps cited the levees' historic importance to the development of modern Dallas and noted that the levees are considered a manmade landmark by the American Society of Civil Engineers.

The Federal Highway Administration (FHWA) is also planning to build a toll road, and one of the potential routes would run between the two levees. A determination of National Register eligibility could ultimately affect the route by requiring FHWA and local officials to seek feasible and prudent alternatives that would avoid and minimize harm to the historic levee system—this review is commonly referred to as Section 4(f). There is also a need to restore the levees' integrity and comply with the Federal Emergency Management Agency's new flood risk maps for Dallas.

There are hundreds, if not thousands of projects similar to this underway around the country. Those projects are all following federal laws and utilize administrative options to resolve any issues under the NHPA and Section 4(f). There was no evidence that a broad, blanket exemption from NHPA and Section 4(f) of the Department of Transportation Act warranted Congressional intervention to circumvent longstanding, successful administrative procedures already in place that balance practical needs with the protection of historic resources.

This exemption was inappropriate, unnecessary, and unprecedented. There was no evidence that administrative tools would not have been unable to resolve any issues pertaining to the levees on the Trinity River. Congress should have ensured that the available administrative mechanisms had been fully employed before including this broad and unnecessary exemption that would endanger historic resources intrinsic to the development of a major American city and set a dangerous precedent.

The whole purpose of the Section 106 of the NHPA and Section 4(f) of the Department of Transportation Act is to ensure that federal resources are not used to harm historic properties without the consideration of adverse effects and alternatives. A National Register listing or eligibility does not prevent private property owners from harming or even destroying their own historic properties, as long as no federal funding or federal permits are involved. But where taxpayer dollars are awarded, or federal regulatory authority is invoked, those public benefits must be conditioned on compliance with our federal laws that require historic preservation and other policies to be included in the process of planning specific projects. This does not mean that projects cannot proceed where a historic property is involved; it simply means that the impacts of the projects on that property must be considered and if necessary, mitigated.

In 1966 Congress created Section 106 of the NHPA and Section 4(f) of the DOT Act as

tools to balance historic preservation concerns with the needs of federal undertakings. These reviews ensure that federal agencies identify any potential conflicts between their undertakings and historic preservation and resolve any conflicts in the public interest. The process has worked efficiently and effectively for nearly fifty years. The NHPA and Section 4(f) exemption language contained in H.R. 4899 is an affront to the Act's visionary framers.

America's industrial and engineering infrastructure, and associated historic properties are essential to the nation's identity—its culture, history, and economy, past, present and future. In the absence of the protections afforded by Section 106 of the NHPA and Transportation's Section 4(f), those corridors have no meaningful procedural guarantees for preservation consideration, ensuring pieces of American history will be lost forever.

**HONORING DR. DENNIS TRYBUS
ON THE OCCASION OF HIS RETIREMENT FROM THE POSITION
OF EXECUTIVE DIRECTOR AT
THE HELPING HAND REHABILITATION CENTER**

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2010

Mr. LIPINSKI. Madam Speaker, I rise today to honor Dr. Dennis Trybus, a constituent in my district who has nurtured children and adults with developmental disabilities to their full potential for the past 12 years while serving as the Executive Director at the Helping Hand Rehabilitation Center.

Helping Hand has been a fixture in my district for over five decades. Established in 1955 at a time when little support existed for children with disabilities and their families, it has now grown into a successful, respected institution serving 500 individuals per year and offering varied services from education to therapy and from vocational support to residential placement in independent group homes.

For the last 12 years, Helping Hand has flourished under the steady hand of the Executive Director Dr. Trybus. Dr. Trybus spearheaded key expansion projects for Helping Hand, with the construction of three new group homes and the establishment of a specialized school for children with autism—a state of the art model facility. Through his long tenure at Helping Hand, he has built many warm relationships with the Center's clients, their families, and the Center's staff, encouraging a culture of commitment and caring at this institution.

Dr. Trybus' commitment to Helping Hand and to its clients will be sorely missed as he retires from this position—an occasion truly worthy of special recognition and commendation. But his achievements will enable Helping Hand to carry on its work long into the future; and I am happy to announce that Helping Hand will celebrate his legacy by naming its newly constructed Wellness Center in his honor.

I ask you to join me in honoring Dr. Dennis Trybus and his work on behalf of people with developmental disabilities, and to wish him a well-deserved long and happy retirement.

**MEDIA SHOW DOUBLE STANDARD
ON SUPREME COURT NOMINEES**

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2010

Mr. SMITH of Texas. Madam Speaker, the national media have shown a clear double standard in their coverage of Supreme Court nominees, according to recent studies by the Media Research Center (MRC).

MRC found that when President Bush nominated John Roberts and Samuel Alito to the Supreme Court in 2005, the national media repeatedly described both men as "very conservative."

In contrast, when President Obama nominated Sonia Sotomayor in 2009 and Elena Kagan this year, the media rarely described them as "very liberal."

MRC also found that the television networks gave far more coverage to opponents of Roberts and Alito compared to opponents of Sotomayor and Kagan.

The national media should report the facts, not practice a double standard.

**INTRODUCING LEGISLATION TO
IMPROVE THE POST 9/11 VETERANS
EDUCATION ASSISTANCE
PROGRAM (P.L. 110-252)**

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2010

Ms. MOORE of Wisconsin. Madam Speaker, I am proud to rise today to introduce legislation that would help improve one of the major new benefit programs—the Post 9/11 Veterans Education Assistance program (P.L. 110-252)—better known as the Post-9/11 G.I. Bill that Congress created in recognition of the continuing sacrifice of the men and women in our Armed Forces.

This new law provides veterans with active duty service after Sept. 11, 2001 with enhanced educational benefits to cover more expenses including a living allowance and money for books. Just over 2 years ago—June 30, 2008—this legislation was signed into law and the first benefit checks were disbursed in August 2009. While there have been problems at the startup of this program which I hope have now been largely resolved, hundreds of thousands of veterans are now attending classes using the post-9/11 GI bill.

One of the new benefits available for our men and women in uniform is a provision allowing servicemembers to transfer unused benefits to their spouses and dependent children. Children can use these benefits up until age 26 to pursue higher education. This provision was included in recognition of the invaluable and uncompensated sacrifices made by the families of members of the Armed Forces, and in particular their children, who provide unconditional love and support to their loved ones serving in the Armed Forces. The Department of Defense June 2007 Mental Health Task Force report noted that "The well-being of service members is inextricably linked to the well-being of their families."

The legislation that I am introducing today—the Post 9/11 G.I. Bill Dependent Coverage